

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

**FILED**

2011 JUN 30 DB

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN.

JORGE RODRIGUEZ

Plaintiff,

vs.

THE AUTOMOBILE INSURANCE  
COMPANY OF HARTFORD,  
CONNECTICUT

Defendant.

Civil Action No. \_\_\_\_\_

Jury Demand

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that Defendant, The Automobile Insurance Company of Hartford, Connecticut removes this case to the United States District Court for the Middle District of Tennessee, Nashville Division, pursuant to 28 U.S.C. Secs. 1441 and 1446. The grounds for the removal are as follows:

1. Plaintiffs filed the above-styled action on May 20, 2011 against The Automobile Insurance Company of Hartford, Connecticut in the Circuit Court of Montgomery County, Tennessee in Clarksville, Tennessee. The suit is styled: *Jorge Rodriguez v. The Automobile Insurance Company Hartford, Connecticut*, docket number MC CC CV PD 11 1098. A true and correct copy of the pleading is attached hereto as Exhibit A.
2. The suit was served on this Defendant on June 3, 2011.
3. Other than the filing of the Complaint, no proceedings have taken place in this matter. The Automobile Insurance Company of Hartford, Connecticut removes this action to the United States District Court for the Middle District of Tennessee, Nashville Division pursuant to the provisions of 28 U.S.C. Sec. 1441 on the grounds that this Court has jurisdiction pursuant to 28 U.S.C. Sec 1332.

4. Plaintiff, Jorge Rodriguez, alleges in the Complaint that he is a resident of the State of Florida owning Tennessee property in Montgomery County, Tennessee.

5. The Automobile Insurance Company of Hartford, Connecticut is correctly alleged in the Complaint to be a foreign corporation engaged in the sale and issuance of property insurance in Tennessee. It is a Connecticut insurance company.

6. This dispute is between persons of different states and the amount in dispute, based upon allegations as made, is in excess of \$75,000.00, exclusive of costs and interest; therefore, it meets the jurisdictional requirements of this Court pursuant to the provisions of 28 U.S.C. § 1332(a).

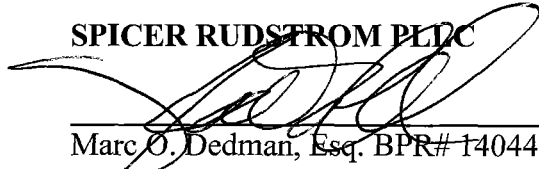
7. Venue is correct herein because Plaintiffs' action is pending in Clarksville, Montgomery County, Tennessee.

7. Counsel for this Defendant has served on counsel for Plaintiffs a Notice of Removal. Copies of the Notice of Removal and Petition for Removal have been filed in the Rutherford County Circuit Court by this Defendant within 30 days of service of the Complaint on Defendant.

WHEREFORE, please take notice that Defendant, The Automobile Insurance Company of Hartford, Connecticut removes the state action styled *Jorge Rodriguez v. The Automobile Insurance Company of Hartford, Connecticut*, docket number MC CC CV PD 11 1098 from the Circuit Court of Montgomery County at Clarksville, Tennessee, where it is now pending, to the United States District Court for the Middle District of Tennessee on this the 30<sup>th</sup> day of June, 2011.

Respectfully submitted,

**SPICER RUDSTROM PLLC**

  
\_\_\_\_\_  
Marc O. Dedman, Esq. BPR# 14044  
Bank of America Tower  
414 Union Street, Suite 1700  
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(615) 259-9080 telephone  
(615) 259-1522 facsimile  
*Attorneys for The Travelers Indemnity  
Company of America*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been sent via United States mail, postage prepaid, properly addressed and via fax to:

Joshua Burnett  
Sonya Smith Wright  
Marshall Thomas Burnett  
214 West Main Street  
Murfreesboro, TN 37130

this 30th day of June, 2011

  
\_\_\_\_\_  
Marc Dedman

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**JORGE RODRIGUEZ**

**Plaintiff,**

**vs.**

**THE AUTOMOBILE INSURANCE  
COMPANY OF HARTFORD,  
CONNECTICUT**

**Defendant.**

**Civil Action No. \_\_\_\_\_  
Jury Demand**

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on June 30, 2011 a true and correct copy of all removal papers were forwarded via first-class United States mail, postage pre-paid and addressed to Joshua Burnett and Sonya Smith Wright of Marshall Thomas Burnett at: 214 West Main Street, Murfreesboro, Tennessee, 37130.

Respectfully submitted,

By:  Marc O. Dedman, BPR# 14044

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414 Union Street, Suite 1700

Nashville, TN 37219

615.259.9080 telephone

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*Attorney for Defendant, The Travelers*

*Indemnity Company of America*

mod@spicerfirm.com

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been sent via U. S. first class mail to Joshua E. Burnett, Sonya Smith Wright, Marshall Thomas Burnett at: 214 West Main Street, Murfreesboro, Tennessee, 37130 this 30<sup>th</sup> day of June, 2011.

  
\_\_\_\_\_  
Marc O. Dedman